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IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	Supreme Court
)	No. R-19-0020
PETITION FOR CONFORMING)	
AMENDMENTS TO THE)	Comments in Support
ARIZONA JUSTICE COURT)	
RULES OF CIVIL PROCEDURE)	

BACKGROUND

The author of this pleading is a Justice of the Peace in Maricopa County. The following Maricopa County Justices of the Peace join in these comments in their individual capacities: Judge Pro Tem Cheryl Brown; Judge Frank Conti, Dreamy Draw Justice Court; Judge Leonore Driggs, Arcadia Biltmore Justice Court; Judge Joe Getzwiller, Ironwood Justice Court; Judge Andrew Hettinger, Moon Valley Justice Court; Judge Anna Huberman, Country Meadows Justice Court; Judge Pro Tem Joseph Hull; Judge Miles Keegan, Hassayampa Justice Court; Judge Pro Tem Michael Kielsky; Judge Enrique Medina Ochoa, Downtown Justice Court; Judge Keith Russell, East Mesa Justice Court; Judge Steve Urie, Highland Justice Court; Judge Donald Watts, Manistee Justice Court, and Judge Pro Tem John Wirtjes.

DISCOVERY LIMITS IN THE JUSTICE COURT RULES OF CIVIL PROCEDURE SHOULD BE CONSISTENT WITH THE RECENT REFORMS TO THE ARIZONA RULES OF CIVIL PROCEDURE

The potential for an inappropriately aggressive attorney to attempt to bury a self-represented litigant with discovery requests is perhaps greater in Justice Court than in Superior Court. That is certainly the case now with the accidental anomaly of some Superior Court cases having stricter discovery limits than are currently present in Justice Court. The proposed changes are consistent with the standard for Tier 1 cases¹ in Superior Court, which by definition are comparatively simple cases that can be tried in two days or less.² Lawsuits filed in Justice Court fall within a similar definition. The proposed changes would also prevent parties from filing claims and counterclaims that are fifty dollars above or below the jurisdictional limits of Justice Court to limit or to exploit current discovery differences.

We offered these brief comments because good ideas are not adopted automatically. As some of the judges who will be tasked with enforcing these changes, we endorse them.

¹ Ariz.R.Civ.P. 26.2(f)(1).

² Ariz.R.Civ.P. 26.2(b)(1). Examples include motor vehicle accidents and premises liability. *Id.*

CONCLUSION

We respectfully request that proposed changes, to the discovery provisions of the Justice Court Rules of Civil Procedure, be adopted.

RESPECTFULLY SUBMITTED, this 19th day of April 2019.

/s/ Gerald A. Williams
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